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ORDER

U.S. Department of Transportation Office of the Secretary

of Transportation

DOT 1323.2G

3-13-85

Subject: MONITORING, COORDINATION AND TRANSMITTAL OF REPORTS TO THE CONGRESS

- 1. <u>PURPOSE</u>. To establish a system ensuring that reports to the Congress, its Committees or officers are appropriately prepared and submitted when due.
- 2. <u>CANCELLATION.</u> DOT 1323.2F, Monitoring, Coordination and Transmittal of Reports to the Congress, of 11-22-83.
- 3. <u>SCOPE.</u> This Order applies to reports prepared by the Office of the Secretary (OST) and by the Operating Administrations with the following exceptions:
 - a. Legislation and legislative reports covered by DOT 2050.3, Preparation of Legislation and Legislative Reports, of 7-17-70.
 - b. Communications with individual members of Congress, in response to their inquiries or requests addressed to the Heads of Operating Administrations. (Such communications are the subject of separate procedures).
 - c. Routine communications and reports requested of Operating Administration witnesses during Congressional hearings, for the purpose of supplementing such hearings.
 - d. Reports by the Operating Administrations to Congressional Committees on safety matters which are not on sensitive subjects and do not contravene established policy, or result in new policy interpretations.
- 4. <u>DEFINITION</u>. In order for a document to be classified as a Congressional report, it must possess the following characteristics:
 - a. The report is a result of a statute or Congressional request requiring:
 - The Secretary or the President to submit the specific report to Congress, or
 - (2) The Secretary to submit jointly, with another Cabinet Member, the specific report to Congress, or
 - (3) Another Federal agency to submit a report to Congress in which a major input of that report is prepared by DOT and transmitted to that agency by the Secretary.

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- b. The report's due date in Congress or frequency is specified either by Congress or by statute.
- C. Reports to Congress as defined here does not include communications with individual members of Congress, in response to their inquiries or requests, or to routine communications and reports requested of witnesses during Congressional hearings for the purpose of supplementing such hearings.
- d. De facto budget requests are not considered to be Congressional reports.
- 5. BACKGROUND. Authority to sign any report to the Congress or to the President is specifically reserved to the Secretary or delegate within OST by DOT 1100.60, Department of Transportation Organization Manual, paragraph 1.44, Reservations of Authority.
- 6. POLICY. Reports will be developed by the OST office or Operating Administration with primary responsibility for the subject of the report. Each such office or administration will ensure that its reports are properly prepared and are submitted on time to the designated OST office, i.e., recurring reports to the Assistant Secretary for Administration and one-time reports to the Assistant Secretary for Budget and Programs. Appropriate monitoring and internal OST coordination will provide for timely forwarding of reports to the Secretary for signature.
- 7. RESPONSIBILITIES.
 - The Assistant Secretary for Administration is responsible a. for:
 - Establishing and administering a reports control system (1)to ensure the timely preparation, review, and coordination of all recurring Congressional reports.
 - Supervising a review, by the Office of Information (2)Systems and Telecommunications Policy (M-30), of recurring reports and resolving conflicts which may occur. Also ensuring their proper coordination within OST, including as a minimum, submission to the Secretarial Officers and the Executive Secretary; after which coordination, the Assistant Secretary for Administration will submit the report to the Secretary with a recommendation for signature.

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- (3) Submitting each such report to the Secretary 20 days before it is due in the Congress if transmission is by the President or 15 days before it is due in the Congress if transmission is by the Secretary.
- b. The Assistant Secretary for Budget and Programs is responsible for:
 - Establishing and administering a reports control system to ensure the timely preparation and necessary review and coordination of all one-time Congressional reports.
 - (2) Submitting each such report to the Secretary 20 days before it is due in Congress if transmission is by the President, or 15 days before it is due in Congress if transmission is by the Secretary.
- c. <u>Secretarial Officers and Heads Operating Administrations</u> are responsible for:
 - (1) Informing the Assistant Secretary for Administration (concerning recurring reports) or the Assistant Secretary for Budget and Programs (concerning one-time reports) whenever a request for a report to the Congress is established. A copy of each written request, a memorandum describing each oral request, and the citation of each statute or other document establishing a reporting obligation must be provided.
 - (2) Coordinating each proposed report with other interested Departmental elements, using DOT F 1321.1, Record of Coordination and Approval, before submitting it to OST. That form will be retained in the office originating the report and a copy of that form will accompany the report when it is forwarded to the Assistant Secretary for Administration or the Assistant Secretary for Budget and Programs pursuant to paragraph 6 above.
 - (3) Submitting each such report to the Office of the Secretary 50 days before it is due in Congress if transmission is by the President, or 40 days before it is due in Congress if transmission is by the Secretary. This time frame is necessary for the completion of OST coordination and the time needed to complete recommended changes made during the coordination process in order to meet the prescribed deadlines noted in paragraphs

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7(a)(3) and 7(b)(2) above. Reports consisting solely of statistical data covering known facts may be submitted to OST at such time as the Secretary may determine, since these reports are exempt from OST coordination.

- (4) Ensuring that prescribed report deadlines are met or that, when deadlines are not met, the reason for delay is explained in the transmittal memorandum to the Secretary.
- (5) Ensuring that upon completion of the changes (if any) made by the Secretarial Officers during the coordination process, all reports must be resubmitted to the appropriate office (i.e., the Assistant Secretary for Administration for recurring reports and the Assistant Secretary for Budget and Programs for one-time reports) within ten working days.
- (6) Designating a Congressional Reports Control Officer to provide the primary contact concerning all reports to Congress for which the office or element is responsible or must coordinate on, and to provide:
 - (a) to the DOT Congressional Reports Control Officer the status reports concerning recurring reports (see paragraph 9); and
 - (b) to the Assistant Secretary for Budget and Programs such information as may be required concerning one-time reports to Congress.
- d. The General Counsel, Assistant Secretaries for Budget and Programs; Policy and International Affairs; Governmental Affairs, and Public Affairs; and the Executive Secretary, are responsible for reviewing proposed reports for conformity with policies and known views of the Secretary, responsiveness to the statutory requirements, for consistency with other reports issued by the Department and for concise and comprehensive treatment of the subject matter. The General Counsel will also review such reports for the correctness, sufficiency and suitability of their legal content and responsiveness to the legislated mandate.
- e. Each Secretarial Officer is responsible for ensuring that coordination of all reports is completed and the Record of Coordination and Approval, DOT F 1321.1, is submitted to the appropriate office within ten working days.

- f. <u>The Executive Secretary</u> is responsible for transmitting to appropriate recipients reports which have been completed for the Secretary's signature. In such cases where the reports will be hand-carried to the Congress, the Executive Secretary will be responsible for notifying the appropriate office when the report has been signed by the Secretary.
- 8. <u>PROCEDURES FOR ONE-TIME REPORTS</u>. The Assistant Secretary for Budget and Programs will:
 - a. In the case of one-time reports proposing legislation or commenting on pending legislation, refer to DOT 2050.3. In the case of reports not proposing legislation or commenting on pending legislation, determine whether it is in conformity with policies.
 - b. Ensure that each one-time report:
 - (1) has been properly coordinated throughout the Department, including as a minimum, submission to the General Counsel, Assistant Secretaries for Policy and International Affairs, Administration, Governmental Affairs, and Public Affairs, and the Executive Secretary; and
 - (2) having been found entirely suitable, is submitted to the Secretary on schedule for signature.
- 9. <u>PROCEDURES FOR MONITORING PREPARATION AND SUBMITTAL OF RECURRING</u> <u>REPORTS.</u>
 - a. The Chief, Information Requirements Division, (M-34), will designate from this division the DOT Congressional Reports Control Officer. In coordination with the designated Congressional Reports Control Officers throughout the Department, the DOT Congressional Reports Control Officer is responsible for:
 - (1) Sending to the OST office or Operating Administration a memorandum citing the report for which that office is responsible 60 days before the report is due in the Office of the Assistant Secretary for Administration, requesting a status report within three days by filling out the bottom half of the memorandum and returning it to the DOT Congressional Reports Control Officer.

- (2) Requiring from each Congressional Reports Control Officer an oral report on the status of each report to Congress for which they are responsible 15 days before it is due in the Office of the Assistant Secretary for Administration.
- (3) Logging in all reports submitted to OST for approval and monitor and control their coordination within OST.
- (4) Monitoring the preparation of all recurring reports (with the exception of those reports coordinated by the Office of the Assistant Secretary for Budget and Programs (B-10) which are listed on page 11 of the attachment to this Order).
- (5) Notifing the Assistant Secretary for Administration promptly whenever a Congressional Reports Control Officer's status report or other evidence indicates that a report to Congress will not meet an established deadline.
- b. The <u>General Counsel</u> shall determine during the course of coordination whether the report contains legislative material that needs to be coordinated in accordance with DOT Order 2050.3.
- c. The <u>Assistant Secretary for Budget and Programs</u> shall determine during the course of coordination whether the report requires additional clearance with the White House.
- d. Each Congressional Reports Control Officer shall provide the DOT Congressional Reports Control Officer with such status reports as may be required, and with any available additional information indicating failure to meet established reports submission schedules.
- e. Each Congressional Reports Control Officer is responsible for ensuring that the correspondence is properly assembled before submission to the DOT Congressional Reports Control Officer (M-34). Seven copies of the report must be submitted to M-34 for coordination along with the original letters addressed to the President of the United States and/or the President of the Senate and the Speaker of the House of Representatives, two grids (one with your office clearances and one clean grid for the Executive Secretary) and two white copies. After the changes (if any) have been made, five copies of the report must be returned to M-34.

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10. IMMEDIATE ACTION REOUIRED. Twenty days from the date of this Order each Secretarial Officer and the Heads of Operating Administrations shall submit or reconfirm to the Assistant Secretary for Administration (ATTN: M-34) and to the Assistant Secretary for Budget and Programs the name of their Congressional Reports Control Officer and his/her alternate.



Jon H. Seymour Acting Assistant Secretary for Administration

Coordinated by the Office of the Assistant Secretary for Administration (M-34)

Office of the Secretary

TITLE OF REPORT	OFFICE	AUTHORIZ ING LEGISLATION	FOLLOW-UE 1st	DATE	DUE <u>M-34</u>	DUE S-1	DUE CONG.	FREQUENCY	FINAL SIGNATURE
Federal Managers Financial Integrity Act Statement	OST	31 USC 3512 P.L. 97-255	10/31	11/12	12/10	12/24	12/31	Annually	Sec. of Trans.
Annual Report on DOT Administrations of the Freedom of Information Act	OST	5 USC 552(d)	11/20	1/5	1/20	2/15	3/1	Annually	Sec. of Trans.
Annual Report on Military Personnel Detailed to DOT	OST	49 USC 1657(d)(2)	12/20	2/5	2/20	3/15	4/1	Annually	Sec. of Trans.
The DOT Annual Report	OST	P.L. 97-449 Sec. 308	6/21	8/6	٤/21	9/1 5	9/30	Annually	Sec. of Trans.
Report on Contracts Negotiated Under Exception	OST *	10 USC 2304(e)	2/9 8/10	3/25 9/25	4/9 10/10	5/4 11/4	5/19 11/19	Semi- annually	Sec. of Trans.
Annual Report on Use of P.L. 85-804, Extra- Ordinary Contract Relies	OST f	P.L. 85-804	12/3	1/19	2/3	3/1	3/15	Annually	Sec. of Trans.
Response to Safety Board Recommendation	OST	P.L. 97-74 Sec. 6(b) Independent Safety Board Act Amendments of 1981	9/22	11/7	11/22	1 2 /15	1/1	Annually	Sec. of Trans. Page 1
Report on Activities Conducted Under the Commercial Space Launch	OST	P.L. 98-575 Sec. 22(a)	6/21	8⁄6	8/21	9/15	9/30	Annually thru FY 1989	Sec. of Trans.

Act

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Coordinated by the Office of the Assistant Secretary for Administration (M-34)

United States Coast Guard

TITLE OF REPORT	OFFICE	AUTHORIZ ING LEGISLATION	FOLLOW-UI	P DATE 2nd	DUE <u>M-34</u>	DUE S-1	DUE CONG.	FREQUENCY	FINAL SIGNATURE
Delegation of Vessel Inspection and Reviews of Vessel Hull, Machiner Piping and Electrical Plans to the American Bureau of Shipping	USOG TY	P.L. 97-136	9/19	11/4	11/19	12/14	12/29	Annually	Sec. of Trans.
Report on Activities Relating to the Deep- water Ports Act of 1974	USCG	P.L. 93-627 33 USC 1519	12/21	2/6	2/21	3/16	3/31	Annually	Sec. of Trans.
Off-Shore Oil Pollution Compensation Fund	USCG	P.L. 95-372 43 USC 1824	12/21	2/6	2/21	3/16	3/31	Annually	Sec. of Trans.
Notification When Unobligated Balance of Funds is Less Than 12 Million Dollars; Recommendation for Suppl mental Appropriation	USOG .e-	P.L. 96-483 33 USC 1321						As Required	Sec. of Trans.
Report on Desirability of Adjusting Monetary Limitation of Liability for Outer Continental Shelf Oil Pollution	USCG	P.L. 95-372 43 USC 1814						As Required	Sec. of Trans.
Coast Guard Military Retirement System	USCG	P.L. 95-595 31 USC	1/21	3/6	3/21	4/15	4/30	Annually	Sec. of Trans.13-85

Coordinated by the Office of the Assistant Secretary for Administration (M-34)

Federal Aviation Administration

TITLE OF REPORT	OFFICE	AUTHORIZ ING LEGISLATION	FOLLOW-UI 1st	P DATE 2nd	DUE M-34	DUE S-1	DUE CONG.	FREQUENCY	FINAL SIGNATURE
Report on the Effect of Airline Deregulation on the Level of Safety	FAA	P.L. 95-504 107(b)&(c)	10/22	12/7	12/22	1/16	1/31	Annually	Sec. of Trans.
Report on the Status of Development of Collision Avoidance System		P.L. 96-193	10/22	12/7	12/22	1/16	1/31	Annually	Sec. of Trans.
Report on Operation of National Airway System	FAA	P.L. 97-248	12/19	2/4	2/19	3/15	4/1	Annually	Sec. of Trans.
Report on Operation of Airport Improvement Program	FAA	P.L. 97-248	12/19	2/4	2/19	3/15	4/1	Annually	Sec. of Trans.
National Plan of Integrated Airport Systems	FAA	P.L. 97-248	5/25	7/10	7/25	8⁄19	9/3 of	Biennially (even years	Sec. of Trans.

Coordinated by the Office of the Assistant Secretary for Administration (M-34)

Federal Highway Administration

TITLE OF REPORT	OFFICE	AUTHORIZ ING LEGISLATION	FOLLOW-UP lst	DATE	DUE <u>M-34</u>	DUE S-1	DUE CONG.	FREQUENCY	FINAL SIGNATURE
Fatal and Injury Accident Rates on Public Roads	Fhwa	Surface Trans. Act of 1982, Sec. 207	9/21	11/6	11/21	12/16	12/31	Annually	Sec. of Trans.
Overweight Vehicles- Penalties and Permits An Inventory of State Practices	FHWA	Surface Trans. Assistance Act of 1978; P.L. 95-599, Sec. 123(c); +92 Stat. 2701; *23 USC 141 note	9/22	11/7	11/22	12/15	1/1	Annually	Sec. of Trans.
Highway Safety Improvement Program	FHWA	Sec. 203(e), Highway Safety Act of 1973 & Sections 151(g) & 152(g), Title 23, USC	12/20	2/5	2/20	3/15	4/1	Annually	Sec. of Trans.
Railroad Highway Demonstration Projects	FHWA	Section 163, Federal-Aid Highway Act of 1/1 1973	12/20	2/5	2/20	3/15	4/1	Biennially (odd years	Sec. of Trans.

Coordinated by the Office of the Assistant Secretary for Administration (M-34)

Federal Railroad Administration

TITLE OF REPORT	OFFICE	AUTHORIZING LEGISLATION	FOLLOW-UP 1st	DATE	DUE <u>M-34</u>	DUE S-1	DUE CONG.	FREQUENCY	FINAL SIGNATURE
Annual Report on Railroad Financial Assistance	FRA	Staggers Rail Act of 1980; P.L. 96-448	9/19	11/4	11/19	12/14	12/29	Annually	Sec. of Trans.
Effectiveness of National Railroad Passenger Corp. (AMTRAK)	FRA	Rail Passenger Sys. Act of 1970; P.L. 91-518, Sec. 308; +84 Stat. 1333 *45 USC 548(e)	;				*	Annually	Sec. of Trans.
Administration of the Federal Railroad Safety Act of 1970	FRA	Federal Railroad Act of 1970; P.L. 91-458; Sec. 211; +84 Stat. 976; *45 USC 440	3/22	5/7	5/22	6/16	7/1	Annually	President
Annual Progress Report on NECIP	FRA	Railroad Revitali- zation and Regulato Reform Act of 1976; P.L. 94-210, Sec. 7 (1)(D); +90 Stat. 1 *45 USC 853	03	6/20	7/5	7/26	8⁄15	Annually	Sec. of Trans. and President of Amtrak
Action Taken by NECIP Under P.L. 85-804	FRA	50 USC 1434	12/3	1/19	2/3	3/1	3/15	Annually	Sec. of Trans.
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* Unspecified (included as Appendix to DOT Annual Report)

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Coordinated by the Office of the Assistant Secretary for Administration (M-34)

National Highway Traffic Safety Administration

TITLE OF REPORT	OFFICE	AUTHORIZ ING LEGISLATION	FOLLOW-UI lst	P DATE 2nd	DUE M-34	DUE S-1	DUE CONG.	FREQUENCY	FINAL SIGNATURE
Annual Report to the Congress on Motor Vehicle Safety	NHTSA	National Traffic and Motor Vehicle Safety Act of 1966, Sec. 102; Motor Vehicle Information & Cost Saving Act of 1972; and the Energy Policy & Observation Act of 1975, added new Title V to the Motor Vehicle Infor tion & Cost Savings Sec. 502	n of Jy on a ma-	5/7	5/22	6/16	7/1	Annually	President
Annual Report to Congress on Highway Safety	NHTSA	Highway Safety Act of 1966, as amended Highway Safety Act 1973, Sec. 222; Hig Safety Act of 1973, 226; Highway Safety of 1978, Sec. 208; Highway Safety Act 1978, Sec. 209	d; of ghway , Sec. / Act	5/7	5/22	6/16	7/1	Annually	President
Active & Inactive Contract Program	NHTSA	National Traffic Motor Vehicle Safety Act of 1966, as amended; P.L. 89		APPI	ENDICES	TO THE	CABOVE 1	WO REPORTS	DOT 1323.2 3-13-85
Automotive Fuel Economy Program	NHTSA	Motor Vehicle Information & Cost Savings Act, as amended; P.L. 92-51	10/6 13	11/21	12/6	1/1	1/15	Annually	Sec. of Trans.

Coordinated by the Office of the Assistant Secretary for Administration (M-34)

Saint Lawrence Seaway Development Corporation

TITLE OF REPORT	OFFICE	AUTHORIZ ING LEGISLATION	FOLLOW-UP lst	DATE 2nd	DUE <u>M-34</u>	DUE S-1	DUE CONG.	FREQUENCY	FINAL SIGNATURE
Annual Report of the Saint Lawrence Seaway Development Corporation	SLSDC	SLSDC Establishing Act; P.L. 83-358, Sec. 10 +68 Stat. 96; *33 USC 989(a)	4/22	6/7	6/22	7/12	8/1	Annually	President

Coordinated by the Office of the Assistant Secretary for Administration (M-34)

Maritime Administration

TITLE OF REPORT OFFI	AUTHORIZING E LEGISLATION	FOLLOW-UP DATE 1st 2nd	DUE DUE M-34 S-1	DUE CONG. FREQUENCY	FINAL SIGNATURE
Annual Report of the MARA Maritime Administration	46 USC 811, 1118	12/20 2/5	2/20 3/17	4/1 Annually	Sec. of Trans.
o Report on the Acquisition of Obsolete Vessels in Exchange for Credit	TO BE INCLUDE	O IN ANNUAL REPORT OF	MARITIME ADM	INISTRATION.	
o Report of All War Risk Insurance Activities	TO BE INCLUDE	O IN ANNUAL REPORT OF	MARITIME ADM	INISTRATION.	
o Report of Claims Under the Admiralty Act	TO BE INCLUDE	O IN ANNUAL REPORT OF	MARITIME ADM	INISTRATION.	
o Report on Scrapping or Removal from Service of Obsolete Vessels Owned by the U.S.	TO BE INCLUDE	D IN ANNUAL REPORT OF	MARITIME ADM	INISTRATION.	
o Report of Activities Under the Ship Sales Act of 1946	TO BE INCLUDE	O IN ANNUAL REPORT OF	MARITIME ADM	INISTRATION.	
o Report on Exemptions to the Law Prohibiting Operators of Foreign Flag Vessels from Receiving Operating Differential Subsidies	TO BE INCLUDE	D IN ANNUAL REPORT OF	MARITIME ADM	INISTRATION.	
o U.S. Flag Carriage of Government Sponsored Cargoes	TO BE INCLUDE) IN ANNUAL REPORT OF	MARITIME ADM	INISTRATION.	Ğ

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Coordinated by the Office of the Assistant Secretary for Administration (M-34)

Maritime Administration (Contd.)

TITLE OF REPORT	OFFICE	AUTHORIZ ING LEGISLATION	FOLLOW-UF	DATE	DUE M-34	DUE S-1	DUE CONG.	FREQUENCY	FINAL SIGNATURE
 Report on Allocation of Construction and Operating-Differentia Subsidy to Port Range 		TO BE INCLUDED) IN ANNUAL	REPORT OF	MARIT:	ime adn	AINISTRA	FION.	
Report on the Relative Cost of Shipbuilding in the Coastal Districts of the U.S.		46 USC 1123(c)	6/22	8/7	8/22	9/16	10/1	Annually	Sec. of Trans.
A Report to Congress on the Status of the Public Ports of the U.S	MARAD	15 USC 1519(a)	12/20	2/5	2/20	3/17	4/1	Annually	Sec. of Trans.
Apparent Collusive Bidding in Contracts Involving Merchant Vessels	MARAD	P.L. 75-705 (Sec. 1 46 USC 1152(b)	.0)					As required	Sec. of Trans.
Any Decision to Terminate in the National Interest Priority Loading of	MARAD	46 USC 1121-1						30 days after ever as require	ed.
Coal for Coast-wise Transportation									Attach Page 9
Replacement Vessels Necessary for the Merchant Marine	MARAD	46 USC 891(c)						As required	Sec. of Trans.

Coordinated by the Office of the Assistant Secretary for Administration (M-34)

Research and Special Programs Administration

TITLE OF REPORT	OFFICE	AUTHORIZING LEGISLATION	FOLLOW-UE lst	DATE 2nd	DUE <u>M-34</u>	DUE <u>S-1</u>	DUE CONG.	FREQUENCY	FINAL SIGNATURE
Annual Report of the Sec. of Trans. of the Administration of the Natural Gas Pipeline Safety Act of 1978	RSPA	Natural Gas Pipeline Safety Act of 1984; P.L. 98-464	1/6	2/19	3/6	3/26	4/15	Annually	Sec. of Trans.
Annual Report of the Secretary on the Administration of the Hazardous Liquid Pipeline Safety Act of 1979	RSPA	Hazardous Liquid Pipeline Safety Act of 1984, P.L. 98-464	1/6	2/19	3/6	3/26	4/15	Annually (Combined with the above)	Sec. of Trans.
Annual Report on Hazardous Materials Transportation	RSPA	Hazardous Materials Transportation Act of 1984, P.L. 98-55		4/19	5/6	5/26	6/15	Annually	President

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Coordinated by the Office of the Assistant Secretary for Budget and Programs (B-10)

TITLE OF REPORT	OFFICE	AUTHORIZ ING LEGISLATION	DUE <u>B-10</u>	DUE S-1	DUE CONG.	FREQUENCY	FINAL SIGNATURE
Bridge Replacement and Rehabilitation	FHWA	Surface Trans. Assistance Act of 1978; P.L. 95-599, Sec. 124	2/20	3/15	4/1	Annually	Sec. of Trans.
Interstate Cost Estimates	FHWA	Federal-Aid Highway Act of 1956; P.L. 84-627, Sec. 108	12/3	12/2	8 1/12	Biennially (odd years)	Sec. of Trans.
Highway Needs	FHWA	Surface Trans. Assistance Act of 1982; P.L. 97-424, Sec. 160	12/22	1/16	1/31	Biennially (odd years)	Sec. of Trans.
Transit Performance and Needs Report	umta	Surface Trans. Assistance Act of 1982; P.L. 97-424, Sec. 310	8⁄15	9/9	9/24	Biennially (even years)	Sec. of Trans.